

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**EZAKI GLICO KABUSHIKI KAISHA,
d/b/a EZAKI GLICO CO., LTD., and
EZAKI GLICO USA CORPORATION,**

Plaintiffs,

v.

**LOTTE INTERNATIONAL AMERICA
CORP. and LOTTE CONFECTIONERY
CO. LTD.,**

Defendants.

Civil Action No. 15-5477

ORDER

THIS MATTER comes before the Court by way of Plaintiffs Ezaki Glico Kabushiki Kaisha, d/b/a Ezaki Glico Co. Ltd. and Ezaki Glico USA Corporation (collectively, “Plaintiffs”) motion for entry of final judgment, ECF No. 335,

and it appearing that Defendants Lotte International America Corp. and Lotte Confectionary Co. Ltd.’s (collectively, “Defendants”) oppose Plaintiffs’ motion on the grounds that this Court “should first decide Lotte’s entitlement to fees and costs,” ECF No. 341 at 2;

and it appearing that by Order dated September 9, 2019, this Court denied Defendants’ motion for attorney’s fees and costs, and that regardless, entry of final judgment is appropriate, see Fed. R. Civ. P. 58(e);

IT IS on this 9th day of September, 2019;

ORDERED that final judgment is entered:

- in favor of Defendants on Claims I-V of Plaintiffs’ Second Amended Complaint, ECF No. 102;

- in favor of Defendants on Counterclaims I and III of Defendants' Answer and Counterclaims to the Second Amended Complaint, ECF No. 117;
- dismissing Counterclaims II, IV, and V of Defendants' Answer and Counterclaims to the Second Amended Complaint as moot because they no longer present an Article III case or controversy, ECF No. 117; and
- denying Defendants' request for attorney's fees and costs under the Lanham Act and New Jersey law.

/s Madeline Cox Arleo
HON. MADELINE COX ARLEO
UNITED STATES DISTRICT JUDGE